

IN RE CHRISTOPHER D. WYMAN

CASE NO: 12-32264

Debtor(s)

EXHIBIT NO: 3

**THE DEPONENT MUST BE SERVED AT
LEAST 14 CALENDAR DAYS PRIOR TO
HEARING.**

Approved, SCAO

Original - Return
1st copy - Witness
2nd copy - File
3rd copy - Extra

STATE OF MICHIGAN 53RD JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUBPOENA Order to Appear and/or Produce	CASE NO. 09-4485-GC
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Court address
204 S. HIGHLANDER WAY, STE 1, HOWELL, MI 48843
Court telephone no.
517-548-1000

Plaintiff(s)/Petitioner(s) <input type="checkbox"/> People of the State of Michigan <input checked="" type="checkbox"/> BARBARA DUGGAN	v	Defendant(s)/Respondent(s) CHRIS WYMAN d/b/a/ CD WYMAN
<input checked="" type="checkbox"/> Civil <input type="checkbox"/> Criminal		Charge
<input type="checkbox"/> Probate In the matter of		

In the Name of the People of the State of Michigan. TO:

CHRIS WYMAN d/b/a/ CD WYMAN 6241 W. GRAND RIVER, BRIGHTON MI

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

YOU ARE ORDERED:

<input checked="" type="checkbox"/> 1. to appear personally at the time and place stated below: You may be required to appear from time to time and day to day until Excessed.		
<input checked="" type="checkbox"/> The court address above <input type="checkbox"/> Other:		
Day TUESDAY	Date APRIL 24, 2012	Time 10:00 AM

☐ 2. Testify at trial / examination / hearing.

☒ 3. Produce/permit inspection or copying of the following items: SEE ATTACHED

☒ 4. Testify as to your assets, and bring with you the items listed in line 3 above.

☒ 5. Testify at deposition.

☒ 6. MCL 600.6104(2), 600.6116, or 600.6119 prohibition against transferring or disposing of property is attached.

☒ 7. Other: CONTINUING THEREAFTER DAY TO DAY UNTIL COMPLETE

<input checked="" type="checkbox"/> 8. Person requesting subpoena MICHAEL E. TINDALL P29090		Telephone no. (313) 638-7613
Address PO BOX 46564		
City MOUNT CLEMENS	State MI	Zip 48046

NOTE: If requesting a debtor's examination under MCL 600.6110, or an injunction under item 6, this subpoena must be issued by a judge. For a debtor examination, the affidavit of debtor examination on the other side of this form must also be completed. Debtor's assets can also be discovered through MCR 2.305 without the need for an affidavit of debtor examination or issuance of this subpoena by a judge.

**FAILURE TO OBEY THE COMMANDS OF THE SUBPOENA OR APPEAR AT THE STATED
TIME AND PLACE MAY SUBJECT YOU TO PENALTY FOR CONTEMPT OF COURT.**

Date 4/5/12 Judge/Clerk/Attorney [Signature] Bar no. 00357071



Court use only	
<input type="checkbox"/> Served	<input type="checkbox"/> Not served

MC 11 (6/04) SUBPOENA, Order to Appear and/or Produce

MCL 600.1455, 600.1701, 600.6110, 600.6119, MCR 2.506

PROOF OF SERVICE

SUBPOENA

Case No.09-4485-GC

TO PROCESS SERVER: You must make and file your return with the court clerk. If you are unable to complete service, you must return this original and all copies to the court clerk.

CERTIFICATE/AFFIDAVIT OF SERVICE / NON-SERVICE

☐ OFFICER CERTIFICATE

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party [MCR 2.104(A)(2)], and that: (notarization not required)

OR

☒ AFFIDAVIT OF PROCESS SERVER

Being first duly sworn, I state that I am a legally competent adult who is not a party or an officer of a corporate party, and that: (notarization required)

☐ I served a copy of the subpoena, together with INJUNCTION, STATUTE AND DOC. LIST Attachment (including any required fees) by

☒ personal service

☐ registered or certified mail (copy of return receipt attached)

on:

Name(s)	Complete address(es) of service	Day, date, time

☐ I have personally attempted to serve the subpoena and required fees, if any, together with Attachment on the following person and have been unable to complete service.

Name(s)	Complete address(es) of service	Day, date, time

Service fee	Miles traveled	Mileage fee	Total fee
\$		\$	\$

Signature

Title

Subscribed and sworn to before me on _____ Date _____ County, Michigan.

My commission expires: _____ Date _____ Signature: _____ Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the subpoena and required fees, if any, together with Attachment on _____

Day, date, time

Signature _____ on behalf of _____

AFFIDAVIT FOR JUDGMENT DEBTOR EXAMINATION

I request that the court issue a subpoena which orders the party named on this form to be examined under oath before a judge concerning the money or property of:

for the following reasons:

JUDGMENT FOR \$8,026.12 PLUS ACCRUED STATUTORY INTEREST AND COSTS OF COLLECTION REMAINS UNPAID, WRIT UNSATISFIED

Signature

Subscribed and sworn to before me on _____ Date _____ County, Michigan.

My commission expires: _____ Date _____ Signature: _____ Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

MGR-2-105

YOU ARE ORDERED TO PRODUCE FOR INSPECTION AND COPYING:

1. All bank statements, payment records, check registers, cancelled checks, receipts, wire transfer advice/confirmations/records, debit advice/records, receipt log entries, copies of personal/certified/cashier/bank checks, promissory notes, showing payments made or received by or on behalf of:

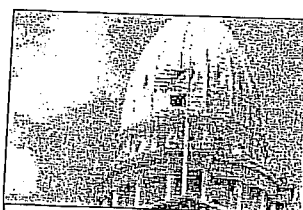
**CHRIS WYMAN
WD WYMAN
DIANA GENTRY
DIANA WYMAN
CREST HOME SALES
CREST HOMES, INC.**

Whether alone or in conjunction with any other person or entity, including any and all transfers and receipts of money or property to or from any named persons or entities, or, any officer, director, agent, owner, attorney, or other person for or on behalf of such person or entity, or, any account over which any listed person had signature authority within the six (6) year period ending December 31, 2011.

2. All federal and state personal and business income tax returns for any persons or entities listed in 1 above, and, all entity owned, operated or controlled by such person for the six (6) year period ending December 31, 2011.
3. A statements and records of pension, retirement, profit sharing, investment accounts, including brokerage accounts, mutual funds, financial planning investment accounts, real estate bond/escrow accounts, for the six (6) year period ending December 31, 2011.
4. Copies of all real estate deeds, mortgage documents, Bill(s) of Sale for personal property, or, receipts or Bills of Sale for any and all transfers of real and personal property by any named person or entity, alone or in conjunction with any other person or entity, during the six (6) year period ending December 31, 2011; regardless of whether the named person or entity was the transferor, or, transferee.
5. Copies of all current or past professional and business licenses held by any listed person or entity within the six (6) year period ending December 31, 2011.

THESE REQUESTS SHALL BE DEEMED CONTINUING IN ACCORDANCE WITH MICHIGAN COURT RULES.

PLEASE NOTE: IT IS NOT THE INTENT TO IVADE OR VIOLATE ANY STATUTORY OR COMMON LAW PRIVILEGE, OR, TO OBTAIN ANY PRIVILEGED CLIENT COMMUNICATION MADE FOR THE PURPOSE OF OBTAINING PRIVILEGED ADVICE OR COUNSEL. IN THE EVENT OF A LEGITIMATE CLAIM TO PRIVILEGE REGARDING ANY REQUESTED ITEM, PLEASE CONTACT ISSUING COUNSEL FOR APPROPRIATE MODIFICATION, OR, SUITABLE PROTECTIVE ORDER. PLEASE CONTACT ISSUING COUNSEL AT 313-638-7613.



MICHIGAN LEGISLATURE

96th Legislature Regular Session
Michigan Compiled Laws Complete Through PA 55 of 2012
House: Adjourned until Tuesday, April 17, 2012 1:30:00 PM
Senate: Adjourned until Tuesday, April 17, 2012 10:00:00 AM

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REVISED JUDICATURE ACT OF 1961 (EXCERPT) Act 236 of 1961

600.6116 Transfer of debtor's property; duration of restraint.

Sec. 6116.

(1) An order for examination of a judgment debtor may contain a provision restraining the judgment debtor from making or suffering any transfer or other disposition of, or interference with any of his property then held or thereafter acquired by or becoming due to him not exempt by law from application to the satisfaction of the judgment, until further direction in the premises, and such other provisions as the court may deem proper.

(2) Unless previously vacated by order of the court or by stipulation of the parties in writing, a restraining provision as herein provided shall remain in full force and effect for a period of 2 years from the date thereof, at which time it shall be deemed vacated for all purposes unless extended by order of the court for good cause shown.

History: 1961, Act 236, Eff. Jan. 1, 1963

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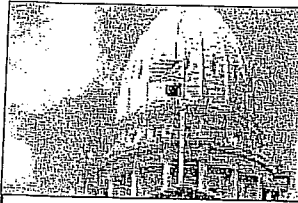
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Section 600.6119

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REVISED JUDICATURE ACT OF 1961 (EXCERPT) Act 236 of 1961

600.6119 Transfer of property by third party; prohibition; violation; contempt; liability; transfer of property apparently belonging to others; duration of restraint.

Sec. 6119.

(1) When a third party having in his or its possession property or moneys belonging to the judgment debtor or who is indebted to the judgment debtor is subpoenaed or ordered to attend and be examined as authorized in this chapter, such third party is hereby forbidden to make or suffer any transfer or other disposition of, or to interfere with, any property belonging to the judgment debtor or to which he may be entitled or which may thereafter be acquired by or become due to said judgment debtor, or to pay over or otherwise dispose of any moneys due or to become due to such judgment debtor, not exempt by law from application to the satisfaction of the judgment, until the further order of the court except that such third party is not obliged to withhold the payment of any moneys beyond double the amount claimed in such subpoena by the judgment creditor. To effect such restraining provision, a copy of this section must be indorsed on or attached to the copy of the subpoena or order served on the third party.

(2) Any person served with said subpoena or order, who violates the provisions of such restraining provision, is subject to punishment by the court for contempt, and is liable to the judgment creditor for any damages sustained.

(3) The restraining effect of a subpoena served upon a third party shall not, however, apply to any property, money or indebtedness which appears from the books or records of the third party to belong to or to be due to a person or corporation other than the judgment debtor, unless the third party has knowledge or reason to believe that such property, money or indebtedness belongs to or is due to the judgment debtor; but the court may by order at any stage of the proceeding grant a restraining provision applicable to any such property, money or indebtedness, which is specified in the order, where it is shown to the court's satisfaction by affidavit or other written proof that there is reason to believe that such property, money or indebtedness belongs to or is due to the judgment debtor.

(4) Unless previously vacated by order of the court or unless released in writing filed in the cause by the judgment creditor, a restraining provision as herein provided shall remain in full force and effect for a period of 2 years from the date of the service of the subpoena, at which time it is deemed vacated for all purposes unless extended by order of the court for good cause shown.

History: 1961, Act 236, Eff. Jan. 1, 1963

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